

Application No. 09/770,858

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Docket No. 113351A

OCT 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Diakoumis P. Gerakoulis, et al.

: Attorney Ref.: 113351A

Serial No.: 09/770,858

: Confirmation No.: 7218

Filed: January 26, 2001

: Art Unit: 2664

FOR: CDMA TO PACKET-SWITCHING
INTERFACE IN A TERRESTRIAL
WIRELESS SYSTEM

: Examiner: John Shew

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321

**Mail Stop: Amendment
Commissioner for Patents
Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

The owner, AT&T Corp., of one-hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of a patent that may issue from U.S Patent Application No. 09/770,890. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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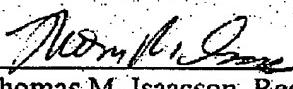
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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of a patent that may issue from Patent Application No. 09/770,890, as presently shortened by any terminal disclaimer, in the event that a patent that may issue from Patent Application No. 09/770,890, expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Dated: October 29, 2004



Thomas M. Isaacson, Reg. No. 44,166

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